

Remarks

No new matter is added by way of this amendment. The specification has been amended to include an Abstract as required by 37 C.F.R. § 1.72(b), to insert the Sequence Listing and to correct an obvious typographical error. On page 37 in Table 4 of the specification, the word "LAP-mIFN β " was mistakenly excluded. To correct this obvious editorial error, the word has been inserted by amendment. One skilled in the art would not only recognize the existence of the error at page 37, but also the appropriate correction from a reading of Example 3. The claims have been amended merely to reduce the number of multiple dependent claims and to correct an obvious typographical error. Support for claim 24 can be found, *inter alia*, in original claim 23.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above-captioned application are the same. In accordance with 37 C.F.R. § 1.821(g), this submission includes no new matter.

It is believed that the application is now in condition for examination. Early notice to this effect is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Peter A. Jackman
Attorney for Applicants
Registration No. 45,986

Date: July 30, 2001

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600
P105-08.wpd

Version with Markings to Show Changes Made

In the Specification:

On page 37, the following Table 4 replaced the pending Table 4:

Plasmid	Antiviral activity (U/ml)
<u>LAP-mIFNβ [0]</u>	<u>0</u>
PorcLAP-mIFN β	256
mIFN β -LAP	256

The Sequence Listing was added at the end of the application.

In the Claims:

Claims 3-5, 7-10, 12-15 and 23 were amended as follows:

3. (Once amended) The use as claimed in [any] claim 1 [or claim 2] wherein the proteolytic cleavage site is a matrix metalloproteinase (MMP) cleavage site.

4. (Once amended) The use as claimed in claim 1 [any one of the preceding claims] wherein the pharmaceutically active is a growth factor, differentiation factor, cytokine, chemokine, trophic factor, cytokine inhibitor, cytokine receptor, free-radical scavenging enzyme, peptide mimetic, protease inhibitor, tissue inhibitor of metalloproteinase sub class, inhibitor of serine protease, chemotherapeutic agent or peptide nucleic acid sequence.

5. (Once amended) The use as claimed in claim 1 [any one of the preceding claims] wherein the fusion protein is in association with latent TGF β binding protein.

7. (Once amended) A nucleic acid construct as claimed in claim 6 wherein the first nucleic acid sequence encodes the protein INF β .

8. (Once amended) A nucleic acid construct as claimed in claim 6 [or claim 7] which is in the form of a vector.

9. (Once amended) A cell comprising a nucleic acid construct as claimed in claim 6 [any one of claims 6 to 8].

10. (Once amended) A method of treatment of a patient comprising administering to said patient a therapeutically effective amount of a nucleic acid construct as claimed in claim 6 [any one of claims 6 to 8].

12. (Once amended) A method of treatment as claimed in claim 10 [or claim 11] wherein the treatment is gene therapy.

13. (Once amended) A nucleic acid construct as claimed in claim 6 [any one of claims 6 to 8] for use in medicine.

14. (Once amended) Use of a nucleic acid construct as claimed in claim 6 [any one of claims 6 to 8] in the manufacture of a medicament for the treatment of an inflammatory disorder.

15. (Once amended) A pharmaceutical composition comprising a pharmaceutically acceptable carrier and a nucleic acid construct as claimed in claim 6 [any one of claims 6 to 8].

23. (Once amended) A kit [of parts] comprising a nucleic acid construct as claimed in claim 6 [any one of claims 6 to 8, or a fusion protein as claimed in claim 16,] and an administration vehicle.

Claim 24 was added.

In the Abstract:

An abstract was added after page 44 of the specification.